## REMARKS

By this amendment, claims 1, 2, 4-10, 12-16, 18-20, 22-24, 26-32, and 34-41 are pending, in which no claim canceled, currently amended, or newly presented.

The final Office Action mailed February 9, 2006 rejected claims 1-41 under 35 U.S.C. § 102 as anticipated by *Blum et al.* (US 6,182,141).

As an initial matter, the Office Action, on page 2 (item 3), omits claims 36-41 in the statement of rejection. For the purposes of this response, Applicants assume that the Examiner intends to reject claims 36-41 under 35 U.S.C. § 102 as anticipated by *Blum et al.*

In rebuttal to Applicants' argument concerning the feature of "a **transport layer switching** mechanism," the Examiner (Office Action, on page 6) focuses solely on the term "transport layer" removed from its proper context of "transport layer **switching**." The Examiner simply ignores the claim term of "switching" when interpreting the claimed invention. The *Blum et al.* system provides no disclosure of the claimed switching mechanism.

As for the feature of a "two-way satellite network," the Examiner (on page 7 of the Office Action) merely relies on the fact that the general disclosure of a wide area network inherently covers all the various possibilities of what a wide area network could be. Such interpretative approach has no grounding in the patent laws or rules. Although the Examiner is entitled to broadly interpret the claims, this doctrine does not extend to broadly reading the references.

Further, the Examiner misunderstands the theory of inherency, to which great reliance is given. The Federal Circuit has clearly mandated that, "the extrinsic evidence 'must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.'" ***In re Robertson***, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999) (emphasis added); accord MPEP § 2163.07(a). By assuming the fact that a client-server communication within *Blum et al.* can use RF to communicate, the Examiner follows a line of reasoning that is explicitly prohibited by settled law. Furthermore, the RF communication in *Blum et al.* is within the LAN (see FIG. 3 and accompanying text), not the WAN.

Therefore, the present application, as amended, overcomes the rejection of record and is in condition for allowance. Favorable consideration of this application is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (301) 601-7252 so that such issues may be resolved as expeditiously as possible. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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